

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST by and through its Co-Directors Natasha Soto and Shaketa Redden and on behalf of its members; DORETHEA FRANKLIN; TANIQUA SIMMONS; DE'JON HALL; JOSEPH BONDS; CHARLES PALMER; SHIRLEY SARMIENTO; EBONY YELDON; and JANE DOE, individually and on behalf of a class of all others similarly situated;

Plaintiffs,

v.

Civil No.: 1:18-cv-00719-CCR

CITY OF BUFFALO, NY; BYRON B. BROWN, Mayor of the City of Buffalo, in his individual and official capacities; BYRON C. LOCKWOOD, Commissioner of the Buffalo Police Department, in his individual and official capacities; DANIEL DERENDA, former Commissioner of the Buffalo Police Department, in his individual capacity; AARON YOUNG, KEVIN BRINKWORTH, PHILIP SERAFINI, ROBBIN THOMAS, UNKNOWN SUPERVISORY PERSONNEL 1-10, UNKNOWN OFFICERS 1-20, each officers of the Buffalo Police Department, in their individual capacities.

Defendants.

**STIPULATED MOTION FOR ADJOURNMENT
OF DEADLINES IN CASE MANAGEMENT ORDER**

The Parties respectfully move to amend the scheduling order to extend all deadlines by approximately one month. The proposed schedule is as follows:

Deadline	Current Date	Modified Date
Completion of fact discovery	November 22, 2023	January 4, 2024
Motion to compel discovery	November 29, 2023	January 17, 2024
Class certification motion	January 17, 2024	February 5, 2024

Deadline	Current Date	Modified Date
Service of initial expert reports	January 17, 2024	February 5, 2024
Service of Rebuttal expert reports	February 9, 2024	February 28, 2024
Completion of all expert discovery	February 28, 2024	March 18, 2024
Dispositive Motions	March 22, 2024	April 11, 2023

In support of this motion, the Parties state as follows:

1. Under the present schedule, the deadline for completion of fact discovery is November 22, 2023, and any accompanying motion to compel is November 29, 2023. The Court has set additional deadlines, leading to a dispositive motion deadline of March 22, 2024.

2. The Parties continue to proceed with depositions. With respect to plaintiff depositions, the Parties have completed the depositions of all plaintiffs.

3. Since the parties' last extension motion, they have continued to exchange paper discovery. The parties also completed the depositions of Officer Charles Miller and Mayor Byron Brown in early November.

4. The only remaining deposition is that of FRCP 30(b)(6) witness, former BPD Commissioner Daniel Derenda. The Parties are going to meet and confer as to the dates, length, and number of sessions of this deposition.

5. The Parties are working together to complete discovery as expeditiously as possible; however, after preparing Captain Humiston for over eight hours, concerns arose regarding his capacity to serve as a FRCP 30(b)(6) witness. Due to the complex nature of the claims and defenses, and the breadth of FRCP 30(b)(6) topics that Plaintiffs have identified, the

Defendants require additional time to adequately prepare former Commissioner Derenda to testify as to all designated 30(b)(6) topics and the Parties require additional time to complete discovery. Also, given the upcoming holidays and former Commissioner Derenda's work schedule, additional time for discovery is required.

6. Accordingly, the Parties respectfully request the modifications set forth above.

7. The Parties thank the Court in advance for its consideration of this request.

Dated: Buffalo, New York
November 17, 2023

s/ Peter A. Sahasrabudhe

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CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2023, the above Stipulated Motion for Adjournment of Discovery Deadlines was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Western District's Local Rules, and/or the Western District's Case Filing Rules & Instructions upon all counsel registered through the ECF System.

/s/ Peter Sahasrabudhe